

# EXHIBIT “B”

## **Closing USA, LLC**

**TITLE NO. DS090046368**

### **MORTGAGE FORECLOSURE CERTIFICATE**

**CERTIFIES TO: Shapiro & Dicaro**

**Client Ref. No: 09-077589**

**Premises: 2 Hill Dale Ave., Miller Place, NY 11764**

**County: SUFFOLK**

**District: 0200 Section: 047.00 Block: 05.00 Lot: 041.000**

That a search has been made against the premises described in Schedule "A" from the date of the mortgage to be foreclosed to the date hereof, and title to said premises is vested of record in

**Catherine Rose Sguera and Anthony Carleo, as joint tenants with rights of survivorship**

**By Deed from: Catherine Rose Sguera**

**Deed Dated: September 22, 2003**

**Recorded: October 23, 2003**

**Liber: 12279 Page: 587**

This certificate includes appended schedules, as follows:

Schedule A	Description of Mortgaged Premises
Schedule B	Mortgages and Assignments of Record
Schedule C	Necessary Parties Defendant
Schedule D	Exceptions, Objections and Other Information
Schedule E	Tax Search

**Certified as March 2, 2009**

**Issue Date: April 17, 2009**

## **Closing USA, LLC**

### **SCHEDULE A**

#### **DESCRIPTION OF MORTGAGES PREMISES**

**Title No.: DS090046368**

ALL that certain plot, piece or parcel of land, lying and being in the Town of Brookhaven, County of Suffolk and State of New York, known and designated as and by Lots 19 and 20 and part of sump area on a certain map entitled "Map of Miller Place Knolls, Section 1" filed in the Office of the Clerk of the County of Suffolk on June 7, 1961 as Map No. 3357, more particularly bounded and described as follows:

BEGINNING at a point on the Easterly side of Pipe Stave Hollow Road, where the same is intersected by the Southerly end of a curve connecting the Easterly side of Pipe Stave Hollow Road with the Southeasterly side of Hill Dale Avenue;

RUNNING THENCE Northerly and Easterly along said curve, bearing to the right having a radius of 25 feet a distance of 36.33 feet to a point of reverse curvature;

RUNNING THENCE along a curve bearing to the left having a radius of 125 feet, a distance of 113.21 feet;

RUNNING THENCE through lots 20 and part of 19 on the aforementioned map, South 68 degrees 6 minutes 44 seconds East 148.42 feet;

RUNNING THENCE South 9 degrees 53 minutes 30 seconds West 100 feet and;

RUNNING THENCE North 76 degrees 32 minutes 53 seconds West 225.47 feet to the Easterly side of Pipe Stave Hollow Road at the point or place of BEGINNING.

**Closing USA, LLC**

**SCHEDULE B**

**MORTGAGES AND ASSIGNMENTS OF RECORD**

**Title Number:** DS090046368

**PAGE 1 OF 2**

**MORTGAGE**

**Mortgagor:** Catherine Rose Sguera, a Married Woman and  
Anthony Carleo

**Mortgagee:** MERS is Mortgage Electronic Registration Systems, Inc. as Nominee for  
Cendant Mortgage Corporation

**Amount:** \$400,000.00

**Dated:** January 27, 2005 **Recorded:** March 29, 2005

**Liber:** 21010 **Page:** 440

**MORTGAGE TO BE FORECLOSED**

**PRIOR MORTGAGES:** None

**SUBORDINATE MORTGAGES:** One

**Title Number:** DS090046368

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**MORTGAGE**

**Mortgagor:** Anthony Carleo and Catherine Carleo f/k/a Catherine Rose Sguera

**Mortgagee:** HomeComings Financial Network, Inc.

**Amount:** \$88,100.00

**Dated:** March 24, 2006 **Recorded:** May 18, 2006

**Liber:** 21301 **Page:** 592

**SUBORDINATE MORTGAGE**

## **Closing USA, LLC**

### **SCHEDULE C**

#### **NECESSARY PARTIES DEFENDANT**

**Title No.: DS090046368**

This list of necessary parties defendant is made on the assumption that all parties are to be personally served in the proposed action. If any of the persons hereinafter named be dead, their legal representatives and successors in interest should be made parties defendant after whose rights are subordinate to the mortgage to be foreclosed such persons should also be made parties defendant after search has been amended. If any leases, mortgages or other liens recorded prior to the period covered by this search, but which, by reason of subordination clauses contained therein or otherwise, are in fact subordinate to the lien of the mortgage to be foreclosed, all persons interested in said leases, mortgages or other liens should also be made parties defendant after search has been amended.

If the United States of America, State of New York or City of New York or any of its agencies, are made parties, the complaint must set forth the reason therefor in detail. (See R.P.A. and P.L. Sec 202 and 202A and 28 U.S.C.A. 2410.)

The addresses of parties herein given, were obtained from the record and are not represented to be the present addresses of the parties.

Consideration should be given to the desirability of naming as defendants the obligor named in the bond or in any extension, assumption of guaranty agreement.

All occupants of the premises herein described should be made parties defendant.

The Company should be requested to continue searches to the date of filing lis pendens.

**1. Party Defendant:**

John Doe and Jane Doe

**Interest in Premises:**

Said names being fictitious, it being the intention of Plaintiff to designate any and all occupants, tenants, persons or corporations, if any having or claiming an interest in or lien upon the premises being foreclosed herein.

**2. Party Defendant:**

Catherine Rose Sguera a/k/a Catherine Carleo  
2 Hilldale Avenue  
Miller Place, New York 11764

**Interest in Premises:**

Owner of record and original Obligor under the Note/Bond secured by the Mortgage recorded in Liber 21010 of Mortgages, page 440, being foreclosed herein.

**3. Party Defendant:**

Anthony Carleo  
2 Hilldale Avenue  
Miller Place, New York 11764

**Interest in Premises:**

Owner of record and original Obligor under the Note/Bond secured by the Mortgage recorded in Liber 21010 of Mortgages, page 440, being foreclosed herein.

**4. Party Defendant:**

HomeComings Financial Network, Inc.  
9 Sylvan Way, Suite 100  
Parsippany, New Jersey 07054

**Interest in Premises:**

Subordinate mortgagee by virtue of a Mortgage recorded on 5/18/2006 in Liber 21301 of Mortgages, page 592.

## **Closing USA, LLC**

### **SCHEDULE D**

#### **EXCEPTIONS, OBJECTIONS AND OTHER INFORMATION**

Title No.: **DS090046368**

1. This report is issued for foreclosure purposes only. For fee insurance, if any additional searches must be conducted and any questions arising therefrom, disposed of.
2. Rights of tenants or persons in possession of the subject premises.
3. Any state of facts that an accurate survey may show.
4. Covenants, easements, reservations and restrictions of record, if any.
5. Open or unpaid taxes, assessments, water and/or sewer charges, if any.
6. Mortgages set forth in Schedule "B" herein (Two).
7. Company has performed a Surrogate Search in the County in which the property is located vs. the certified owners herein and finds the following: Nothing Found.
8. For questions regarding this certificate, please contact: Erica R. Fragnito at (585) 454-1730 x211
9. Bankruptcy searches vs. Catherine Carleo, Catherine Sguera and Anthony Carleo herein shows no indexes.
10. Searches for judgments, Parking Board Violations, Environmental Control Board liens, Transit Adjudication Bureau liens and Federal Tax liens have been made against the following named persons:  

Names:	Catherine Carleo, Catherine Sguera and Anthony Carleo
Returns:	NONE
11. Names Searched: Catherine Carleo, Catherine Sguera and Anthony Carleo
12. Tax Search to follow



## Closing USA, LLC

Searches have not been made for, and this certificate does not cover, General Assignments, Orders Appointing Receivers and Petitions in Bankruptcy against Judgment Creditors and Minor Lienors, Searches for Financing Statements under the Uniform Commercial Code have been made only in the office of the Recording Officer of the County in which the premises are situated, and in counties having a block index system only against the block in which the property is situated.

No inspection of premises, report on streets or searches for violations in Municipal or other governmental departments have been made; nor have searches been made for corporation franchise taxes or license fees, Federal and State inheritance, transfer or estate taxes. Upon request, the company will obtain a report from the State Tax Commission on corporation franchise taxes, license fees or state transfer or estate taxes upon payment of \$1.00 for each name, but no responsibility for the correctness of such reports will be assumed by this company.

This certificate is made for and accepted by the applicant upon the express understanding that: (1) it is to be used only for the foreclosure of the within described mortgage or for the taking of a deed in lieu of foreclosure and for no other purpose; (2) no policy of title insurance is to be issued; (3) if a deed in lieu of foreclosure is taken, the company shall not be liable should the deed be attacked by the grantor, his successors or creditors for inadequacy of consideration or as to the capacity of the record owner to execute such a deed or for any other reason; (4) the company shall not be liable for defects in title, liens, restrictive covenants or any other encumbrance existing or created prior to the date of the aforesaid mortgage; (5) this certificate shall be null and void if the applicant, his attorney or agent makes any untrue statement with respect to any material fact or suppresses or fails to disclose any material fact or if any untrue answers are given to this company to material inquiries before the issuance of this certificate; (6) any damages hereunder are limited to \$1,000.00, which damages the party for whom this report has been prepared shall sustain by reason of the Company's failure to report a lien or matter junior to the mortgage to be foreclosed.

For Information Only – Search Provider:  
Jeff C. & J. Haas Agency  
917 Pleasure Drive  
Flanders, NY 11901

631-655-3138

LP's and/or Summons and Complaints that must be filed on the date of receipt are to be sent directly to the County Clerk's Office. **Notify this office of files being sent, so we know to alert our examiners that documents must be filed upon receipt.** (County Clerk's Office does not necessarily notify examiners that they have received a package.)